Supreme Court, U.S.
FILED
MAY 7 1997
CLERK

No. 96-1470

IN THE

Supreme Court of the United States

OCTOBER TERM, 1996

QUALITY KING DISTRIBUTORS, INC.,
a New York corporation,
Petitioner,

vs.

L'ANZA RESEARCH INTERNATIONAL, INC.,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

PETITIONER'S REPLY BRIEF

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I.

ARGUMENT

In Respondent's Brief In Opposition, Respondent L'anza Research International, Inc. argues that Quality King Distributors, Inc.'s Petition for Writ of Certiorari has been rendered moot because Quality King has paid the judgment. (Respondent's Brief at 7.) L'anza is incorrect. Payment in satisfaction of the money judgment does not foreclose an appeal. *Stanton Road Associates v. Lohrey Enterprises*, 984 F.2d 1015, 1020 (9th Cir. 1993); *U.S. for Use of Morgan & Son v. Timberland Paving*, 745 F.2d 595, 598 (9th Cir. 1984). Moreover, as Respondent concedes, the permanent injunction entered by the United States District Court remains in full force and effect. (Respondent's Brief at 7, n.2.) That injunction is an independent reason that the appeal is not moot.

With respect to the other arguments raised in Respondent's Brief in Opposition, Petitioner relies on its Petition.

II.

CONCLUSION

The Petition should be granted.

DATED: May 7, 1997

Respectfully submitted,

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